

Message Text

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ACTION L-03

INFO OCT-01 EA-11 ADP-00 PM-09 NSC-10 SS-15 RSC-01 CIAE-00

INR-10 NSAE-00 RSR-01 JUSE-00 SCA-01 DODE-00 /062 W

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P 210517 Z APR 73

FM AMEMBASSY MANILA

TO SECSTATE WASHDC PRIORITY 0000

C O N F I D E N T I A L MANILA 4511

E. O. 11652: GDS

TAGS: PFOR, RP

SUBJ: US- PHILIPPINE EXTRADITION TREATY

REF: A. STATE 72016

B. MANILA 4400

C. STATE 70006

D. MANILA 4176

BEGIN SUMMARY: POL COUNSELOR INFORMED DFA UNDERSEC
INGLES OF US PROPOSAL HOLD INITIAL SESSION OF EXTRA-
DITION TREATY NEGOTIATIONS MAY 2 - 11. INGLES SAID
DECISION RE OPENING NEGOTIATIONS NOW IN HANDS OF
PRESIDENT MARCOS. PENDING PRESIDENTIAL DECISION, HE
TENTATIVELY SUGGESTED SHORTER SESSION MAY 7 - 11
SINCE ONLY PROVISIONS ON WHICH THERE IS APPARENT
AGREEMENT WOULD BE TAKEN UP AT FIRST SESSION UNDER
US PROPOSAL. END SUMMARY

1. POL COUNSELOR MET WITH DEPT FON AFF (DFA) UNDERSEC
JOSE INGLES (GOP NEGOTIATING TEAM CHAIRMAN) APRIL 21
AND PROPOSED MAY 2 - 11 DATES FOR INITIAL SESSION OF
EXTRADITION TREATY NEGOTIATIONS ALONG LINES OF REF. C
AS MODIFIED BY REF. B.

2. INGLES SAID THAT, FOLLOWING APRIL 11 MEETING WITH
POL COUNSELOR (REF D), DFA PRESENTED US POSITION ON
RETROACTIVITY AND PROBLEM IT PRESENTED FOR EXTRADITION
TREATY NEGOTIATIONS TO PRESIDENT MARCOS WITH REQUEST
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FOR HIS DECISION ON HOW TO PROCEED. HE EXPLAINED THAT DURING PERIOD SINCE DFA PRESENTATION MADE, PRESIDENT MARCOS HAS BEEN ON RELIGIOUS RETREAT AND THEN ON VACATION IN BAGUIO, SO THAT HE WAS NOT CERTAIN WHETHER PRESIDENT HAD HAD OPPORTUNITY TO FOCUS ON THIS QUESTION. US PROPOSAL TO HOLD INITIAL DISCUSSION ON MATTERS ON WHICH AGREEMENT LIKELY, AND ITS SPECIFIC EXCLUSION OF NEGOTIATION OF RETROACTIVITY QUESTION, WOULD BE BROUGHT IMMEDIATELY TO PRESIDENTIAL ATTENTION. INGLES OBSERVED THAT HE DID NOT KNOW HOW PRESIDENT WOULD REACT, SINCE POSSIBILITY OF SUCH A TREATY TO EXTRADITE PERSONS CONNECTED WITH ASSASSINATION PLOT WAS ONE OF MAIN REASONS FOR CALLING FOR NEGOTIATIONS.

3. INGLES SUGGESTED, HOWEVER, THAT, IF ONLY THOSE POINTS ON WHICH AGREEMENT LIKELY WERE TO BE DISCUSSED, INITIAL SESSION COULD BEGIN MAY 7 RATHER THAN MAY 2 SINCE ONE WEEK WOULD BE SUFFICIENT TO DEAL WITH THOSE PROVISIONS WHICH HAVE ALREADY BEEN CLARIFIED BY WORKING GROUP. HE INTENDED INCLUDE THIS SUGGESTION IN MEMORANDUM TO PRESIDENT. (INGLES HAS COMMITMENT TO ATTEND A UN COMMITTEE MEETING IN NEW YORK WHICH WILL END ON MAY 4.)

4. INGLES STATED PRESIDENT'S DECISION WOULD BE COMMUNICATED BY DFA TO EMBASSY IN HIS ABSENCE AS SOON AS AVAILABLE. EMBASSY WILL APPRISE DEPT. OF GOP DECISION BY IMMEDIATE CABLE.
BYROADE

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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

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